

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

AZURITY PHARMACEUTICALS, INC.,

Plaintiff,

v.

BIONPHARMA INC.,

Defendant.

C.A. No. 21-1286-MSG

C.A. No. 21-1455-MSG

**[PROPOSED] ORDER GRANTING DEFENDANT BIONPHARMA’S
MOTION FOR RECONSIDERATION ON SCHEDULING**

Having considered Defendant Bionpharma Inc.’s (“Bionpharma”) Motion for Reconsideration on Scheduling, and the Court having considered the papers filed in support of and in opposition to the Motion, and for good cause shown, the Court **HEREBY ORDERS THAT:**

1. Bionpharma’s Motion is **GRANTED**;
2. The Court’s March 1, 2023 Amended Scheduling Order (21-1286 D.I. 268, 21-1455 D.I. 172) is **VACATED**; and
3. The following dates will govern the remaining case deadlines:
 - a. All fact discovery shall be completed by December 4, 2023.
 - b. Opening expert reports shall be served by January 22, 2024.
 - c. Rebuttal expert reports shall be served by February 26, 2024.
 - d. Reply expert reports shall be served by March 11, 2024.
 - e. Expert Discovery shall be completed by June 3, 2024.
 - f. *Daubert* motions, if any, shall be filed by June 24, 2024.
 - g. Leave to file dispositive motions shall be requested by June 24, 2024.

- h. A hearing on *Daubert* motions and any dispositive motions permitted will be held on July 22, 2024.
- i. A status conference regarding possible bifurcation of patent and antitrust claims will be held on July 23, 2024.
- j. A proposed pretrial order shall be submitted by August 9, 2024.
- k. A pretrial conference will be held on August 30, 2024 at 10:00 AM in Courtroom 17-A in Philadelphia.
- l. Trial will commence on September 16, 2024 at 9:00 AM in Wilmington, Delaware.

SO ORDERED this ____ day of _____, 2023

The Hon. Mitchell S. Goldberg, U.S.D.J.